

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF NEW YORK

EMILIO FUSCO,
Defendant/Petitioner,

vs.

Case No 09-CR-1239-PKC

UNITED STATES OF AMERICA,
Respondent.

MOTION FOR EXTENSION OF TIME

*Application
GRANTED
SO ORDERED
P. Kevin Castel
USDJ
9-1-22*

COMES NOW, Emilio Fusco, Defendant, pro se, seeking a 2-week extension of time for good cause, due to the Government serving Fusco an incomplete response, omitting exhibits, to Fusco's Motion For Compassionate Release and would offer the following facts in support of thereof:

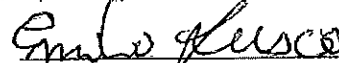
RELEVANT FACTS

1. On August 16th, 2022, Fusco submitted a letter to the Court expressing his concerns over the lateness of the Government's Response to his motion for Compassionate Release.
 2. On August 25th, 2022, Fusco received a response to the foregoing letter from USDJ P. Kevin Castel, Ordering Fusco's response to the Government's opposition by "September 16, 2022 (See Attached, Copy of Envelope & Order).
 3. On August 25th, 2022, Fusco received a copy of the Government's Opposition Motion to Fusco's Motion For Compassionate Release. In reviewing the Government's response, Fusco noted the Government's reference to numerous exhibits, but the Government or Court failed to enclose the exhibits in their mailing.
 4. Worth noting, the Government's has failed to supply Fusco with a copy of their Opposition Motion, which after review is not in conformity with the Local Rules, e.g. single spaced & exceeding the page limits.
- WHEREFORE, Defendant Emilio Fusco respectfully request an additional two-week extension to respond to the Government's Opposition Motion to ensure the accuracy of Exhibits and contemplate a complete response. Setting Fusco's response deadline of September 30th, 2022.

I, Emilio Fusco, do hereby declare under the penalty of perjury, pursuant to 28 U.S.C. 1746, the foregoing facts represented in this instant Motion For Extension of Time are true and correct.

Dated: August 26th, 2022

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Emilio Fusco", is written over a horizontal line.

Emilio Fusco, Defendant, pro se
Federal Medical Center Devens
P.O. Box 879
Ayer, Massachusetts 01432